

May 16, 2005  
Regular Session

Minutes

Members present

D.C. Swaim- Chairman  
Brady Wooten- Vice- Chairman  
Leon Casstevens- Commissioner  
Kim Clark Phillips- Commissioner  
Allen Sneed- Commissioner

Others Present

Cecil E. Wood- County Manager  
James Graham- County Attorney  
Melinda Vestal-Clerk to the Board

Chairman Swaim called the meeting to order. Attorney Graham led the invocation. Justin Sheek, Yadkinville Elementary student, led the pledge of allegiance. Mr. Sheek reviewed the activities at Yadkinville Elementary.

**Public Hearing- Zoning**

Kim Bates, Zoning Supervisor, presented the following:

- Robert Baldwin, Old Hwy 421 E, north side .10 mile west of Falcon Road. The request is to change from rural agriculture to residential restricted. Planning Board approved request.
- William Minton , Union Hill Road, East Bend, 1/10 north of Apperson Road, west side. The request is to change from rural agriculture to residential limited. Planning Board approved request.
- Article 10. Wireless Communication Towers, an amendment which would remove application fees from the ordinance text, allowing the Board of Commissioners freedom to adjust the fee schedule without future ordinances amendments. Planning Board approved text amendment.

Henry Shore, Attorney, spoke in favor of the rezoning request by Mr. Baldwin. He stated there are other residential areas in the area.

Todd Facin, East Bend, stated he has r-o-w through the proposed property Mr. Minton wants to have rezoned and he does not want mobile homes on the property. He would like the property rezoned with higher restrictions.

Bill Minton, petitioner, stated most of the area is single and doublewide mobile homes. The lots will not be small and the minimum will be doublewides.

Jimmy Hobson asked about the requirements with residential restricted?

Mr. Bates stated residential restricted allows stick built and modular homes with a forty foot set back in the front, fifteen feet on each side and twenty-five feet from the rear.

Chairman Swaim closed the public hearing.

### **Public Hearing- E-911**

Mr. Bates presented a request to change the name of Old Benbow Road to Shiloh View Road or Shiloh Springs Drive.

The Board had previously asked if the new proposed name would cause any problems being that the county uses the name Shiloh for another road. After talking with David Matthews, Communication Supervisor, he did not think this would be good idea since Old Benbow Road is located off of Shiloh Church Road.

Commissioner Wooten stated he had received some phone calls regarding the change and the confusion it could cause with the roads having similar names.

Roger Myers, Benbow Road, asked why does the name need to be changed; its been Benbow Road for over twenty-two years.

Commissioner Casstevens asked who requested the name be changed?

Mr. Bates stated the request was made by David Maynard.

Chairman Swaim closed the public hearing.

### **Zoning**

**\*Commissioner Wooten made the motion to approve the rezoning request submitted by Robert Baldwin to rezone the property residential restricted. Commissioner Phillips seconded. The Board voted 5-0.**

**\*Commissioner Wooten made the motion to approve the rezoning request by William Minton to rezone the property to residential limited. Commissioner Sneed seconded. The Board voted 5-0.**

**\*Commissioner Wooten made the motion to approve the text amendment for the Wireless Communication Towers. Commissioner Phillips seconded. The Board voted 5-0.**

### **Public comments**

Patty Steelman, Hamptonville, spoke on property tax and farm use tax. She suggested the county be more compatible in figuring taxes for all properties. The county is a tax dependent public local government.

Jimmy Steelman, Hamptonville, stated he is disappointed with recent newspaper articles and issues with the EMS. He commented that he did not appreciate the EMS employees jumping Commissioner Wooten like a “pack of dogs”. He stated the County Manager and Board of Commissioners should question how county money is being spent.

Carol Hemric, Boonville, requested if Site #1 could be open at least one more day. She commented on the overflows of trash at the site.

Billy Waddell, Boonville, stated he is the one who took the pictures of the trash overflows at Site #1. He also requested the site be open an additional day.

Kenneth Hemric, Boonville, stated he has been at the site when cars have been in line waiting for the gates to open. He commented he has to hold trash at his home too long and he frequently takes the trash to Surry County.

### **Commissioner comments**

Commissioner Wooten commented on motions and voting. He suggested announcing the motions so if there are any questions they can be addressed at that time. He also questioned the recent motion in the minutes being verbatim.

Mr. Wood stated that since there were several questions regarding the motion, he asked Ms. Vestal to type the motion verbatim.

**\*Commissioner Phillips made the motion to hire a transcriber to transcribe the minutes but leave the minutes as summaries. Motion died; lack of second.**

Commissioner Sneed stated the word retroactive was never mentioned. He stated he did say to give him back his total money. Commissioner Sneed stated the information from the tape was wrong therefore the verbatim in the minutes is wrong.

Commissioner Phillips stated the personnel policy is not being followed. She stated raises should be presented to the County Manager by the Department Head. This Board should not pick and choose which employees get raises.

Commissioner Wooten stated he voted on a reinstatement of a pay grade for Mr. Weatherman.

Commissioner Phillips inquired about the raise for Darlene Crater.

Commissioner Sneed stated the situation is under control and the Board should move on.

Chairman Swaim asked if these salary changes will require a budget amendment?

Mr. Wood stated there will be budget amendments needed to adjust the salaries.

**\*Commissioner Phillips made the motion to approve the minutes as presented. Commissioner Casstevens seconded.**

Commissioner Sneed stated the Board needs to decide if the minutes should be verbatim or summarized; we need to pick one or the other.

**The Board voted 3-2. Commissioners Sneed and Wooten opposed.**

Commissioner Wooten read the following statement expressing his opinion of the actions taken. During the May 2<sup>nd</sup>, 2005, Commissioners' meeting, action was taken by the Board of Commissioners to restore the Fire Marshal's pay that was reduced in March, 2003 due to a restructuring made by a previous Board. In March 2003 the Commissioners restructured its Inspection Program and placed several departments under one department head. The Fire Marshal at that time was reduced to a supervisor and his pay reduced 5%. February 1, 2005, this Board of Commissioners, by a majority vote removed the Fire Marshal from under the Inspections Department and placed him under the County Manager as a department head; no salary adjustment was made. The intent of the motion that was made at the May 2<sup>nd</sup> meeting was to reinstate the Fire Marshal's salary to the March 2003 amount and reduce Larry Adams' salary by that amount going forward from May 2, 2005. Our county manager, Mr. Wood and maybe some others misunderstood the motion. There was no retroactive pay reference made in the motion.

### **Citizen concern-Schools**

John Vernon, Boonville, discussed the joint meeting between the Board of Commissioners and Board of the Education. He commented to the Board that they have the political authority and responsibility for the citizens of the county. He stated this Board has not voted to give the schools money and therefore not meeting state requirements. He commented on Lowes in Wilkes County and one of the reasons they are leaving the area is the lack of education. He questioned the Board on what they are doing to attract new businesses. He stated leadership is not the most popular person but its he who takes a stand. Mr. Vernon stated he expects strategic leadership and balanced leadership from the commissioners. He feels there is a lacking to accomplish obligations for our community.

### **Solid Waste-personnel**

**\*Commissioner Wooten made the motion to approve filling the position at Site #7. Commissioner Casstevens seconded. The Board voted 5-0.**

**Sheriff- budget amendment**

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
Buildings/Improvements Public Buildings	1054260- 56550	0	26,421.00	26,421.00
Repair/Maintenance- Sheriff Dept.	1054310- 53013	15,000.00	( 10,000.00)	5,000.00
Insurance/Bonding- Sheriff Dept.	1054310- 55150	98,440.00	( 16,421.00)	82,019.00

To transfer monies from the Sheriff's Department to Public Buildings to pay for the paving of the parking lot at the Sheriff's Department. No new monies used.

**\*Commissioner Sneed made the motion to approve the budget amendment.  
Commissioner Wooten seconded. The Board voted 5-0.**

**Health Department- budget amendment**

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
<b>WIC Breastfeeding</b>				
<b>Expenditure</b>				
Salaries & Wages	105516851010	13,553	(4,000)	9,553
<b>WIC Client Services</b>				
<b>Expenditure</b>				
Salaries & Wages	1055167	81,244	4,000	85,244

Moving salary to the program employees report more time providing services. No additional monies requested.

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
<b>WIC Breastfeeding</b>				
<b>Expenditure</b>				
Group Insurance	105516851350	2,760	(2,100)	660

Salaries & Wages	105516851010	9,553	(600)	8,953
Supplies	105516852010	136	2,000	2,136
Travel/Training	105516854010	150	700	850

Moving state money to supplies and training needs (employee positions were not filled for the entire year).

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
<b>WIC Client Services</b>				
<b>Expenditure</b>				
Group Insurance	105516751350	14,720	(800)	13,920
Supplies	105516752010	1,182	(500)	682
Equipment	105516756010	1,340	1,300	2,640

Moving state money to obtain capital outlay needs. Here again there is a surplus of money in insurance due to positions not being filled for the entire year.

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
<b>BCCCP</b>				
<b>Expenditure</b>				
Contract Services	105515151700	19,003	(4,500)	14,503
Equipment	1055151_____	-0-	4,500	4,500

State funds to capital outlay approved by the state BCCCP program.

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
<b>Health Check</b>				
<b>Expenditure</b>				
Supplies	105511452010	1,862	(1,600)	262
Travel	105511454010	1,648	(1,400)	248
Equipment	105511456010	-0-	3,000	3,000

Medicaid money to equipment to cover capital outlay needs. Approved by Health Check program.

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
<b>Family</b>				

<b>Planning</b>				
<b>Expenditure</b>				
Contract Services	105516451700	22,963	(8,000)	16,963
Supplies	105516452010	9,000	(500)	8,500
Drugs	105516452050	7,375	(500)	6,875
Equipment	1055164_____	2,063	9,000	11,063

State money approved by state Family Planning program to cover capital outlay needs.

Mr. Reavis stated these funds are being moved to cover capital outlay purchases.

**\*Commissioner Sneed made the motion to approve the budget amendment. Commissioner Casstevens seconded. The Board voted 5-0.**

#### **Tax Administration-refunds and adjustments**

<b>Name/reason</b>	<b>Year</b>	<b>County tax</b>	<b>Fire tax/code</b>	<b>Total</b>
<b>Bobby Joe Bowers 3345 Price Road Hamptonville NC 27020 Appraiser corr value for no basement</b>	<b>2000- 2004</b>	<b>\$84.53</b>	<b>\$11.61 W</b>	<b>\$96.14</b>
<b>Pauline Miller P.O. Box 31 East Bend NC 27018 Mh listed as real &amp; personal –shld be real only</b>	<b>2005</b>	<b>\$126.60</b>	<b>\$12.20 E</b>	<b>\$138.83</b>

**\*Commissioner Wooten made the motion to approve the tax refunds and adjustments. Commissioner Phillips seconded. The Board voted 5-0.**

#### **DOT-water/sewer**

Mr. Wood presented a contract regarding moving the sewer lines down Hwy 601.

Commissioner Wooten suggested Attorney Graham review the contract.

It was the consensus of Board to wait and take action at the next meeting after the Attorney reviewed the contract.

#### **Elections-budget amendment**

<b>Description</b>	<b>Account</b>	<b>Original budget</b>	<b>Increase/(Decrease)</b>	<b>Amended</b>
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Postage	1054170-54250	\$2,500	\$1,591	\$4,091
State BOE 2005 List Maint. Grant	1044170-42212	\$0	\$1,591	\$1,591

The funds are to be used to perform 2005 List Maintenance as mandated by North Carolina General Statutes, the National Voter Registration Act (NVRA) of 1993, and the Help America Vote Act (HAVA) of 2002.

**\*Commissioner Sneed made the motion to approve the budget amendment. Commissioner Casstevens seconded. The Board voted 5-0.**

#### **YVEDDI- appointments**

**\*Commissioner Wooten made the motion to reappoint Commissioner Phillips as a regular member and W.G. Dinkins as an alternate member to the YVEDDI Board. Commissioner Sneed seconded. The Board voted 5-0.**

#### **Administration-insurance**

Mr. Wood presented a proposal from BCBS, through the State Association, regarding the health insurance for county employees.

**\*Commissioner Phillips made the motion to approve the proposal for health insurance. Commissioner Sneed seconded. The Board voted 4-1. Commissioner Wooten opposed.**

#### **Hoots Hospital-budget amendment**

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
Hospital-Appropriation	1055930-57500	0	190,000.00	190,000.00
Yadkin Health Alliance	1055930-57505	0	10,000.00	10,000.00
Appropriated Fund Balance	1044000-49000	452,095.00	200,000.00	652,095.00

To record the appropriation for the fiscal year of 2004-2005 that was agreed upon between the Board of Commissioners and the Hospital.



**\*Commissioner Wooten made the motion to approve the budget amendment. Commissioner Phillips seconded. The Board voted 5-0.**

**Water/Sewer- contract**

Mr. Wood presented a proposal from Arcadis for the Hwy 601 Waterline Project.

**\*Commissioner Wooten made the motion to approve the contract with Arcadis. Commissioner Phillips seconded. The Board voted 5-0.**

**Housing- Caudle Mill Road**

Mr. Wood informed the Board that two bids were received for the Caudle Mill Road house; \$25,000 from a single parent with a child and \$45,000 from a young couple.

**\*Commissioner Sneed made the motion to accept the bid of \$25,000 from the single parent. Commissioner Wooten seconded. The Board voted 5-0.**

The Board stated they would discuss at budget time how the \$25,000 would be spent for other housing projects.

**Commissioner comments**

Commissioner Phillips discussed the awards program at Forbush High School and the amount of scholarship money awarded to the students.

Commissioner Phillips inquired if a meeting with the Town of Jonesville had been set?

Mr. Wood stated he has not been able to work anything out at this time.

The Board discussed purchasing water from the Town of Yadkinville.

The Board requested that a meeting be set to meet with the Town of Jonesville.

Commissioner Phillips commented on the joint meeting with the Board of Education. She thought the meeting was very positive.

Commissioner Wooten asked when the animal shelter would be completed?

Mr. Wood stated by the end of May.

Commissioner Wooten inquired about changing the days at Site #1.

Mr. Wood explained why the sites have different hours and days.

Commissioner Wooten clarified if typing the minutes with summaries was the consensus of the Board.

Chairman Swaim stated if the Board had questions on the motions, they should ask for clarification.

Chairman Swaim commented very positively on the meeting with the Board of Education. The communication was open with both Boards. **\*Chairman Swaim made the motion to enter into an agreement with the Board of Education to build the science and technology buildings at both high schools.** Chairman Swaim stated the BOE has agreed on this project and have agreed to pay for half of the loan payment. Chairman Swaim stated if these buildings are not built then the BOE will spend \$500,000 for more mobile units which would be a waste of money. Chairman Swaim stated it is important to get the project started now.

**Commissioner Phillips seconded.**

The proposal is to build twelve classrooms at Forbush and eight classrooms at Starmount with the BOE paying \$200,000 and the county paying \$200,000. This would generate one cent on the tax rate with a twenty year pay back.

Commissioner Phillips stated the law states the county is to fund school facilities. The time is now to move forward before anymore mobile units are purchased.

Commissioner Wooten stated he wanted more budget information.

Commissioner Sneed stated he understands the need for the \$6 million and this proposal has been the best presented with the Board of Education agreeing to pay half of the loan payment. Commissioner Sneed asked if these buildings are built, will there still be a need for new schools?

Karin Mendenhall, BOE Chairperson, stated there is still a need for middle schools.

There was discussion of the county's borrowing power.

Commissioner Casstevens stated he is all for the schools, but he would like to table the vote until the budget can be reviewed.

Mr. Wood stated he has not received the final E&R findings. The industry hearings are still in limbo.

Commissioner Phillips inquired if the county could afford this agreement?

Mr. Wood stated this is the most affordable offer.

**\*Commissioner Casstevens made the motion to table the vote until the next meeting allowing time to talk with Frank Brown for more cost information. Commissioner Wooten seconded. The Board voted 3-2. Commissioners Swaim and Phillips opposed.**

Chairman Swaim read a letter from the American Red Cross regarding a motorcycle ride coming through Yadkin County.

**Manager comments**

Mr. Wood informed the Board of an invitation from East Bend Baptist Church.

Mr. Wood stated he received a letter from Kim Daleus, Regional LTC Ombusman, regarding Louise Williams. The letter stated that Ms. Williams is a non-active member and they would like to have her removed from this committee so someone else could be appointed.

**Adjournment**

**\*Commissioner Wooten made the motion to adjourn. Commissioner Phillips seconded. The Board voted 5-0.**

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Melinda Vestal, Clerk to the Board